

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26873 of 2019

Arising Out of PS. Case No.-1108 Year-2018 Thana- MADHEPURA District- Madhepura

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1. SURENDRA YADAV S/o Late Anup Yadav R/o village- Godhiyari, Ward No. 3, P.S.- Madhepura, District- Madhepura
 2. Sunil Kumar S/o Surendra Yadav R/o village- Godhiyari, Ward No. 3, P.S.- Madhepura, District- Madhepura

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

4 25-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 1108 of 2018, registered under Section 379, 323, 354-B & 386/34 of the Indian Penal Code.

Four accused persons including the petitioners intruded in to the house of the informant and started escaping lifting 40 kgs. of paddy. Spotting them wife of the informant caught hold leg of one of the thief. Whereupon all the accused persons tore her attire and dragged her holding her leg. In the meantime the informant arrived there. Then petitioner Surendra Yadav snatched his Rs.5000/- on the point of three-nut and demanded extortion of Rs.50,000.00.

Learned counsel for the petitioners submitted that no



such occurrence as alleged ever took place. The petitioners are quite innocent and have been falsely implicated in this case. The allegation levelled against the petitioners are not specific rather general and omnibus in nature. Petitioners happen to be next door neighbour and due to political rivalry this false and frivolous case has been lodged against the petitioners as both the parties are supporters of rival candidates in the election of Mukhiya. Petitioners were not apprehended on the spot. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No.1108 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Prakash Chandra Jaiswal, J)

